

क्रमांक 593-ज(I)-80/15840.—पूर्वी पंजाब युद्ध पुरस्कार अधिनियम, 1948 जैसा कि उसे हरियाणा राज्य में अपनाया गया है और उस में आज तक संशोधन किया गया है) की धारा 2(ए)(1) तथा 3(1) के अनुसार सौंपे गये अधिकारों का प्रयोग करते हुए हरियाणा के राज्यपाल निम्नलिखित व्याक्तियों को वार्षिक कीमत वाली युद्ध जागीर उन के नाम के सामने दी गई फसल तथा राशि एवं सनद में दी गई शर्तों के अनुसार सहर्ष प्रदान करते हैं :—

क्रमांक	ज़िला	जागीर पाने वाले का नाम	गांव व पता	तहसील	फसल/वर्ष जब से जागीर दी गई	वार्षिक राशि
1	2	3	4	5	6	7
						रुपये
1	भिवानी	श्री माम राज, पुत्र श्री देका राम	नांगल	लोहारू	रबी, 1973 से खरीफ, 1979 तक	150
					रबी, 1980 से	300
2	,,	श्री शिव लाल, पुत्र श्री रामजी लाल	खापड़वास	भिवानी	रबी, 1975 से खरीफ, 1979 तक	150
					रबी, 1980 से	300

रघु नाथ जोशी,
विशेष कार्य अधिकारी, हरियाणा सरकार,
राजस्व विभाग।

LABOUR DEPARTMENT

The 23rd April, 1980

No. 11(112)-80-3Lab/6077.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Deepak Tools (P) Ltd., 96 D. L. F., Industrial Estate, Faridabad :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL
HARYANA, FARIDABAD

Reference No. 223 of 1976

Between

SHRI RAMESH KUMAR, WORKMAN AND THE MANAGEMENT OF M/S. DEEPAK
TOOLS (P) LTD., 96 D. L. F. INDUSTRIAL ESTATE, FARIDABAD

Present :

Shri R. L. Sharma, for the workman.

Shri D. R. Mahajan, for the management.

AWARD

1. By order No. ID/FD/1073-D-76/39745, dated 20th October, 1976 the Governor of Haryana referred the following dispute between the management of M/s Deepak Tools (P) Ltd., 96 D.L.F. Industrial Estate, Faridabad and its workman Shri Ramesh Kumar, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act.

Whether the termination of services of Shri Ramesh Kumar. was justified and in order?
If not, to what relief is he entitled?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared. The workman proved his demand notice. Thereafter a public holiday was declared on the date fixed in the case. Thereafter notices were again sent to the parties which were served on the workman but not on the management for long. The management was served after 5-6 adjournments but

did not appear despite service. They were proceeded against *ex-parte*. *Ex-parte* evidence of the workman was recorded and an *ex-parte* award was given by me on 2nd July, 1979 in this reference, which was sent to the Government for publication on 3rd August, 1979. Afterward the management moved for setting aside *ex-parte* award which was set aside subject to payment of costs, which were paid. And the case was fixed for the evidence of the management. The management examined Shri Deepak Mahajan, their Managing Director, as MW—1 and closed their case. Then the case was fixed for the evidence of the workman, who obtained two adjournments and lastly the representative for the workman stated that the workman was not here at Faridabad nor evidence was ready. Evidence of the workman was closed. Arguments of the management were heard. The workman was appointed,—*vide* Exhibit M—1 on 1st April, 1976. He remained absent from 15th June, 1976 to 17th June, 1976 and again from 20th June, 1976 to 30th June, 1976. Thereafter his name was removed. The workman had hardly put in service for about 2½ months only and thereafter his long absence entitled the management to remove his name from the rolls which they did exercising their rights. The workman was not entitled to any relief of any kind. His period of service does not exceed 2½ months and he abandoned his job by remaining absent. The management did not terminate the service of the workman and even the workman did not appear in his evidence, nor led any evidence and his representative stated that the workman had gone. In the circumstances, I give my award that the management did not terminate the services of the workman concerned, rather the workman abandoned his job by remaining absent for a long period while he had only 2½ months service at his credit. The workman is not entitled to any relief.

NATHU RAM SHARMA,

Dated 15th April, 1980.

Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

No. 367, dated 18th April, 1980.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal,
Haryana Faridabad.

No. 11(112)-80-3Lab/6086.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workmen and the management of M/s Usha Electronics (India) Pvt. Ltd., Sector 25, Faridabad :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 374 of 1978

between

SHRI RANBIR SINGH, WORKMAN AND THE MANAGEMENT OF M/S USHA ELECTRONICS
(INDIA) PVT. LTD., SECTOR 25, FARIDABAD

Present :

Shri Hari Singh Yadav, for the workman.

Shri R. C. Sharma, for the management.

AWARD

1. By order No. ID/FD 80-78/38779, dated 24th August, 1978 the Governor of Haryana referred the following dispute between the management of M/s Usha Electronics (India) Pvt. Ltd., Sector 25, Faridabad and its workman Shri Ranbir Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Ranbir Singh was justified and in order ? If not, to what relief is he entitled ?

2. On receipt of the order of reference notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, issues were framed and the case was fixed for the evidence of the workman. The workman obtained 5-6 adjournments but led no evidence. Lastly a settlement was arrived at. The workman agreed to receive a sum of Rs 800 only from the management in satisfaction of all his claims and dues and the dispute and the management agreed to pay the said sum to the workman within a week, of 10th April, 1980. The settlement is fair, even relation of employer and employee was in dispute. I, therefore, give my award that the workman is entitled to receive a sum of Rs 800 only from the management. And on payment thereof, dispute of the workman shall be deemed as having been satisfied fully and finally and the workman shall not be entitled to any other relief what-so-ever.

NATHU RAM SHARMA,

Dated the 15th April, 1980.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endorsement No. 364, dated 18th April, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-80-3Lab/6090.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Orient Steel and Industries Limited (Cold Rolling Mills Division), Mathura Road, 21/1, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL
HARYANA, FARIDABAD

Reference No. 3 of 1979

between

THE WORKMEN AND THE MANAGEMENT OF M/S ORIENT STEEL AND
INDUSTRIES LIMITED (COLD ROLLING MILLS DIVISION), MATHURA
ROAD, 21/1, FARIDABAD

Present :—

Shri R. S. Gupta, of the workman.

Shri K. P. Agrawal, for the management.

AWARD

1. By order No. FD/121-78/109, dated 1st January, 1979 the Governor of Haryana referred the following dispute between the management of M/s Orient Steel and Industries Limited (Cold Rolling Mills Division), Mathura Road, 21/1, Faridabad and its workmen, to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the workmen are entitled to bonus for the years 1976-77 and 1977-78 ? If so, with what details ?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. Negotiations for settlement had also started but it was not arrived at. Following issues were framed on 8th November, 1979 :—

1. Whether the demand is espoused by a substantial number of workmen ?

2. Whether the workmen are entitled to the grant of bonus for the years 1976-77 and 1977-78 ? If so, to what effect ?

3. The management had filed copies of balance sheet and profit and loss accounts. The workmen obtained 3-4 adjournments but led no evidence. On the last date of hearing, the representative for the management stated that the management had paid one month's wage, ex-gratia to all the workmen and the representative for the workmen did not like to appear in this case stating that he had no instructions from the workmen. In the circumstances, I give my award that there is no dispute between the parties.

Dated the 9th April, 1980

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No 369, dated the 18th April, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

The 25th April, 1980

No. 11(112)-80-3Lab/6263.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s. Mahindra Stiller Auto Trucks Ltd., Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No 220 of 1978

between

SHRI ROSHAN LAL, WORKMAN AND THE MANAGEMENT OF M/S MAHINDRA STILLER
AUTO TRUCKS LTD., FARIDABAD

Present :

Shri P. K. De, for the workman.

Shri H. R. Dua, for the management.

AWARD

By order No. 31694, dated 11th July, 1978, the Governor of Haryana referred the following dispute between the management of M/s. Mahindra Stiller Auto Trucks Ltd., Faridabad and its workman Shri Roshan Lal, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Roshan Lal was justified and in order ? If not, to what relief is he entitled .

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, following issues were framed on 1st March, 1979 :—

1. Whether the workman resigned his job of his own ?
2. Whether the termination of services of the workman was justified and in order ?
3. If not, to what relief is he entitled ?

And the case was fixed for the evidence of the management. The management examined Shri Manjeet Singh their Director as MW-1 who stated that the workman resigned of his own by Exhibit M-1 and M-2. The management accepted the resignation,—vide Exhibit M-3 and communicated the acceptance to the workman,—vide Exhibit M-4 to Exhibit M-6, although Exhibit M-4 was returned by the postal authorities. He denied that he did not make payment in time. The management closed their case. Then the case was fixed for the evidence of the workman. The workman examined himself as WW-1 and stated that he had joined service on 1st May, 1978 as a Welder at Rs. 310. The management had wrong rules and regulations and was deducting wages for the time, factory remained closed on account of break down of power. He formed a union and therefore, he was dismissed. He received his wages after writing on the register. He also stated that the management got his signatures on retrenchment but paid no compensation. In cross-examination he admitted that he was literate and could sign in English. He did not complain to any authorities when he was denied work on 9th January, 1978. He admitted the receipt of wages for December, 1977. He did not receive wages for January but made no complaint. He admitted his signatures on Exhibit M-7. He did not deny his signatures on Exhibit M-1 but stated that there was probability of his signatures being there. He also admitted his signatures on Exhibit M-2 and address on Exhibit M-4. He also admitted that he did not give any information of changing his address to the management. He denied that he resigned of his free will. But admitted the writing of Exhibit M-1 and Exhibit M-2 in his own hand and his signatures on Exhibit M-8. He also admitted the dates as 24th January, 1978 and 8th February, 1978. He also stated that he held no office of the union. He further stated that the management got resignation written from him as he was to be paid retrenchment compensation. He also stated that he did not make a mention of retrenchment. He did not receive any compensation for cycle allowance although his cycle was insured. Although he received Insurance Compensation from the Insurance Company. He also admitted that the management had black listed him. I have gone through the evidence of the parties oral as well documentary. Exhibit M-1 is the resignation letter stating that the workman was unable to work in the factory and was going for the training of high pressure welder and prayed for his full and final account. Exhibit M-2 to M-6 have also been pursued by me. Exhibit W-1 is the demand notice. As a consideration of the evidence, I decide issue No. 1 in favour of the management.

Issue No. 2.—Issue No. 2 is decided accordingly as the management did not terminate the services of the workman, hence the question of justifiability of termination does not arise.

Issue No. 3.—The workman is not entitled to any relief.

3. As a result of my finding on the issues, I give my award that the workman has resigned his job of his own and the management did not terminate his service. The workman is not entitled to any relief.

NATHU RAM SHARMA,

Dated 7th April, 1980.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 351, dated 11th April, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-80-3 Lab/6266.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workmen and the management of M/s Oswal Steels, Faridabad :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 114 of 1978

between

SHRI NAGESH CHAND BHARDWAJ, WORKMAN AND THE MANAGEMENT OF M/S
OSWAL STEELS, FARIDABAD

Present :—

Shri P. K. De, for the workman.

Shri H. R. Dua, for the management.

AWARD

1. By order No. 1D/FD/98-M-78/17316, dated 4th May, 1978 the Governor of Haryana referred the following dispute between the management of M/s. Oswal Steels, Faridabad and its workman Shri Nagesh Chand, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Nagesh Chand Bhardwaj was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, following issues were framed on 9th February, 1979 :—

1. Whether the domestic enquiry is proper and fair?
2. Whether the termination of services of the workman was justified and in order?
3. If not, to what relief is he entitled?

And the case was fixed for the evidence of the management. The management examined Shri Shekhar Arora, Personnel Officer as MW-1 and closed their case. Then the case was fixed for the evidence of the workman. The workman examined himself as his own witness as WW-1 and closed his case. Then the case was fixed for arguments. Arguments were heard. Now I give my finding issue wise:—

3. MW-1 has proved the enquiry proceedings and finding of Shri P. D. Mehta the Personnel Officer, who had left services in the month of August 1978. He had been seeing his hand writing. He identified the signatures of the Enquiry Officer. He identified the signatures of the Enquiry Officer on Exhibit M-1 to Exhibit M-3. He also proved the dismissal letter. WW-1 stated that he was not given opportunity of defence and the charges did not relate to his department and to the performance of his duties. He went to the factory several times asking the Enquiry Officer to give him opportunity of defence but the Enquiry Officer denied. In cross examination he admitted that he once resigned but thereafter had obtained employment the 2nd time in the factory. He admitted that Exhibit W-1 pertained to his appointment the 2nd time. He could not tell the date when he requested the Enquiry Officer to provide him opportunity. He admitted that Shri P. D. Mehta Personnel Manager of the management had also enquired against him. He also admitted that the enquiry proceedings bore his signatures at several places except at last page. He also admitted that he did not give in writing regarding providing him defence opportunities. I have gone through the enquiry proceeding also and also through the evidence oral as well as documentary. First of all charges have been narrated in the enquiry proceedings. The Enquiry Officer has examined Shri Kuldip Singh the Head Time Keeper who has been cross examined at length. The enquiry proceedings bear the signatures of the workmen. On 17th May, 1977 the workman asked the Enquiry Officer for adjournment for adducing his evidence and then the Enquiry Officer adjourned the enquiry on 18th May, 1977. On 18th May, 1977 the workman stated that he could not get any witness, nor he had to examine any defence witness, nor had to give his own statement. There is an endorsement by the Enquiry Officer in the end that Shri Nagesh Chand Bhardwaj refused to sign and left the office. I have also gone through the documents which are several. The copies of muster rolls are also on the file of the enquiry proceedings. Moreover the workman has himself admitted the signatures on the enquiry proceedings. He has also admitted that the Enquiry Officer held the enquiry. I do not find any fault in enquiry proceedings. I, decide issue No. 1 in favour of the management.

Issue No 2.—The workman was found guilty of the charges also resulting in loss to the management. The workmen also wrongly verified the working hours of some workmen and the management had to pay for 8 hours duty due to this wrong verification by the workman. The charges justify the dismissal of the workman.

Issue No 3.—The workman is not entitled to any relief. I give my award that the termination of service of the workman was justified and in order. The workman is not entitled to any relief.

Dated the 7th April, 1980.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal Haryana,
Faridabad.

No. 352, dated the 11th April, 1980.

Forwarded (four copies) to the Secretary to Government Haryana Labour and Employment Departments Chandigarh as required under section 17 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal Haryana,
Faridabad.